

JUDGE STEIN

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOSE GALAN,
a/k/a "Lyndon,"

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY
DC #:
DATE FILED: APR 01 2008
INDICTMENT

08 Cr.

08 CRIM

COUNT ONE

The Grand Jury charges:

1. On or about January 31, 2008, in the Southern District of New York, JOSE A. GALAN, a/k/a "Lyndon," the defendant, unlawfully, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine base (in a form commonly known as "crack").

(Title 21, United States Code, Sections 812, 841(a)(1), and 841(b)(1)(A).)

COUNT TWO

The Grand Jury further charges:

2. On or about January 31, 2008, in the Southern District of New York, JOSE A. GALAN, a/k/a "Lyndon," the defendant, unlawfully, intentionally and knowingly did distribute and possess with intent to distribute a controlled substance, to

wit, mixtures and substances containing a detectable amount of cocaine.

(Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(C).)

FORFEITURE ALLEGATION

3. As a result of committing one or more of the controlled substance offenses alleged in Counts One through Four of this Indictment, JOSE GALAN, a/k/a "Lyndon," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations alleged in Counts One and Two of this Indictment.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

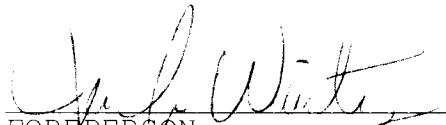
c. has been placed beyond the jurisdiction of the Court;

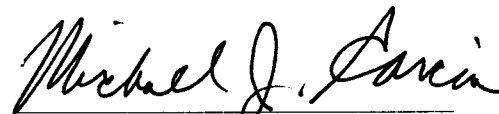
d. has been substantially diminished in value;

or

e. has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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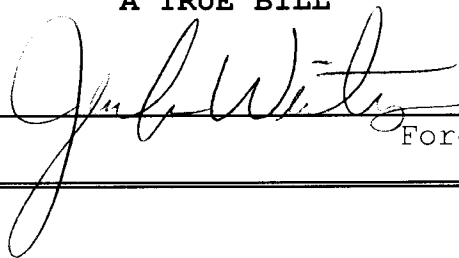
08 Cr.

(21 U.S.C. §§ 812, 841(a)(1), and
841(b)(1)(A))

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL



Foreperson.
